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PATENT

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*Jane A. Walker*  
Jane A. Walker

July 21, 2004  
Date

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rothenberg  
Application No.: 10/759,658  
Filed: January 16, 2004  
Title: **REGULATION OF ALLERGEN INDUCED GENE**  
Art Unit: 1635  
Examiner: Unknown  
Conf. No.: 8032  
Atty. Docket No.: CMC-162

Cincinnati, Ohio

July 21, 2004

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### **SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT** **FILED PURSUANT TO 37 CFR §§ 1.56 AND 1.97-1.98**

Sir:

In accordance with the duty of candor and good faith imposed by 37 C.F.R. §1.56, and the means of complying with that duty according to 37 C.F.R. §§1.97 and 1.98. Applicant calls the references listed on the attached PTO-1449 form to the attention of the United States Patent and Trademark Office in connection with the

above-identified patent application. These references were cited in an International Search Report dated June 14, 2004 received for a related foreign application. Applicant has enclosed a copy of the required cited references.

No representation is made that the cited art is the only art or that the cited art represents the best art.

The Examiner is urged to consider the cited references and to make an independent decision with respect to their materiality.

**Certification Under C.F.R. § 1.97(e)(2)**

Each item of information contained in the Supplemental Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Supplemental Information Disclosure Statement.

**Certification Under 37 C.F.R. § 1.704(d)**

Each item contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and was not received by any person designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Applicant does not believe that any fees are due in connection with this submission. However, if such fees are necessary, the Commissioner is authorized to charge any such fees to Deposit Account 23-3000.

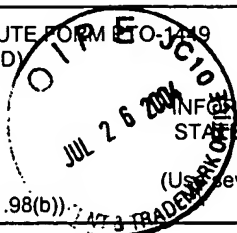
Respectfully submitted,

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SUBSTITUTE FORM PTO-1449  
(MODIFIED)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
CMC/162SERIAL NO.  
10/759,658INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use several sheets if necessary)

(37 CFR 1.98(b))

APPLICANT  
RothenbergFILING DATE  
January 16, 2004GROUP  
1635

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A.A	5	7	6	7	0	6	5	06/16/98	Mosley et al.	514	2	06/06/95
	A.B												
	A.C												
	A.D												
	A.E												
	A.F												
	A.G												
	A.H												
	A.I												
	A.J												
	A.K												

## FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS

		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)
	A.L	2002 338537 A	11/27/02	JP	B05		Abstract only
	A.M	WO 0036103	06/22/00	PCT	C12N	15/12	NA
	A.N	WO 0036103A1	06/22/00	PCT (Corrected Version)	C12N	15/12	NA
	A.O	WO 0196359 A1	12/20/01	PCT	C07H	21/02	NA
	A.P	WO 03104277 A2	12/18/03	PCT	C07K	14/47	NA
	A.Q	WO 9604388	02/15/96	PCT	C12N	15/62	NA

## OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

	A.R	DeBrosse CW et al., Journal of Allergy and Clinical Immunology, Vol 111 No 2, Abstract Supplement (FEB. 2003) page S187 (XP009031971)
	A.S	PCT, <u>International Search Report</u> , PCT/US2004/O01139, dated 06/22/2004, 7 pg.
	A.T	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance and not considered.  
Include a copy of this form with next communication to applicant.